

COMMISSIONERS PROCEEDINGS

October 14, 2003

CLARK COUNTY, WASHINGTON

The Board convened in the Commissioners' Hearing Room, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Commissioners Morris, Stanton, and Pridemore, Chair, present.

PROCLAMATION

Commissioner Pridemore read a proclamation proclaiming October 30, 2003 as Weatherization Day. Janet Clinton accepted the proclamation.

PLEDGE OF ALLEGIANCE

The Commissioners conducted the Flag Salute.

BID AWARD 2344

Reconvened a public hearing for Bid Award 2344 – Annual Automotive & Truck Filters. Mike Westerman, General Services, read a memo from General Services requesting that award of Bid 2344 be awarded to the low bidder. There being no public comment, **MOVED** by Commissioner Stanton to award Bid 2344 to Interstate Auto Parts Warehouse of Salem, Oregon, in the total bid amount of \$9,377.81 including Washington State Sales Tax and grant authority to the County Administrator to sign all bid related contracts. Commissioners Pridemore, Morris, and Stanton voted aye. Motion carried. (Technical Difficulties - No tape available)

BID AWARD 2345

Reconvened a public hearing for Bid Award 2345 – Re-bid 19' Commercial Grade Aluminum Boat. Mike Westerman, General Services, read a memo from General Services requesting that Bid 2345 be awarded to the sole bidder. There being no public comment, **MOVED** by Commissioner Morris to award Bid 2345 to Pacific Boatland of Vancouver, WA in the total bid amount of \$25,760.50 including allowance for trade-in and Washington State Sales Tax and grant authority to the County Administrator to sign all bid related contracts. Commissioners Pridemore, Morris, and Stanton voted aye. Motion carried. (Technical Difficulties - No tape available)

PUBLIC COMMENT

1. *Ken Hodge* presented information regarding the Salmon Creek Interceptor Public Use and Necessity (to be heard later this day). Mr. Hodge thanked the board for past work on a bikepath and saving the fir trees in his neighborhood. He asked why the Salmon Creek Interceptor could not be placed in Salmon Creek Avenue. He was not notified of this project and learned of it recently. Mr. Hodge reported that the present sewer smells, and the County said they were studying the problem.

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Mr. Hodge was concerned about his property rights, property value, and the smell of having a sewer line in his back yard. (Technical Difficulties – No Tape available)

2. *Dr. Kelly Fielding*, 201 E 19th Street lives on 13th Place, was pleased at the Commissioners' response regarding sex offenders' housing. He treats sex offenders and also lives near them. He was concerned with the zoning laws. He said the county attorney said it was possible the zoning laws were unconstitutional, but Fielding requested enforcement of the laws. Fielding was concerned about level 3's housed together without supervision. He was concerned about statements that said level 3's don't reoffend. Fielding said statements from the Sheriff's office were incorrect and not consistent with studies. He commended Commissioner Morris, Legislators, and Department of Corrections for their involvement. (Technical Difficulties – No Tape Available)

CONSENT AGENDA

MOVED by Commissioner Stanton to approve items 1 through 8. Commissioners Pridemore, Morris, and Stanton voted aye. Motion carried. (No tape available - Technical Difficulties)

PUBLIC HEARING: ROAD VACATION - NE 207TH AVENUE

Held a public hearing to consider approval of the Engineer's Report and Preliminary Order to Vacate a portion of unconstructed right-of-way known as a portion of NE 207th Avenue.

Louie Benedict, Public Works, presented the staff report.

There was no public comment.

MOVED by Commissioner Stanton to approve the Engineer's Report and Preliminary Order to vacate a portion of unconstructed right-of-way known as a portion of NE 207 AV. Commissioners Pridemore, Morris, and Stanton voted aye. Motion carried. (No tape available - Technical Difficulties)

PUBLIC HEARING: PUBLIC USE & NECESSITY – NE 76TH STREET

Held a public hearing to consider declaring the NE 76th Street, SR 503-NE 142nd Avenue Project a Public Use and Necessity and direct the Prosecuting Attorney's Office to proceed onto condemnation proceeding.

Scott Sawyer, Public Works, presented the staff report.

Stanton asked if stormwater was an issue related to the Trenda property.

Sawyer said French drains were needed for the Trenda property.

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Allen Trenda, 30521 NE 14th Court, Battle Ground, WA, was concerned about his two duplexes on 76th Street. He said each tenant has two car spaces and there would not be room for guest parking; there will be a 13% grade over 27 feet into a carport; there would be limited vehicle size; cause a blind spot when backing around in the parking area; and foul weather could cause problem of a car sliding into the house. He felt the project helps the area but his property is below grade of the street and was worried about his long term investment. He submitted a letter from Woltersdorf Engineering.

Morris asked if there was some better plan or if he thought he might be bought out by the county.

Trenda said he thought maybe the County would buy him out, and he is working with staff. He didn't know of a better plan.

Pridemore said this hearing was not for negotiation, and he appreciated Mr. Trenda's concerns.

Glen Johnson, 22307 NE 28th Street, Camas, WA, said he was in real estate and a friend of the Trendas. He said staff was cooperating. He asked that the County buy out the Trendas or compensate them. As an investor Mr. Johnson said he would not buy the Trenda's property.

David Ward, 915 Broadway, Vancouver, WA, spoke on behalf of Mr. Johnson. He said the public use and necessity was premature, and they were not at an impasse with the county. Mr. Ward said the re-design was a step in the right direction and requested an appraiser. He said there was a lot to the west owned by the County, and there was discussion on that. He needed two weeks and asked not to approve the Public Use and Necessity.

Pridemore said the Public Use & Necessity proceedings would not go forward for several weeks.

Sawyer said construction is planned in January.

Stanton told Ward that this was not the end of the negotiation period.

Closed to public comment.

Morris restated that the process is lengthy, and there are opportunities for negotiation. She suggested the Trendas' tenants back into the parking spaces

Stanton hoped for discussions to continue with property owners. She thought there may not be requirements to provide guest parking.

Pridemore understood the impacts to property owners on this busy street.

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MOVED by Commissioner Morris to adopt the staff report and proceed onto condemnation proceeding. Commissioners Pridemore, Morris, and Stanton voted aye. Motion carried. (Tape not available - Technical Difficulties)

PUBLIC HEARING: PUBLIC USE & NECESSITY – SALMON CREEK INTERCEPTOR

Held a public hearing to consider declaring the Salmon Creek Interceptor Project a Public Use and Necessity and direct the Prosecuting Attorney's Office to proceed onto condemnation proceeding.

Pete Capell, Director of Public Works, presented the staff report and provided background information. This step was necessary for permitted expansion. A permit is required for the entire project, and they want to move forward with plans for expansion of the interceptor. MacKay Sposito was contracted and developed four alternatives. 1. Sewer in the existing Salmon Creek corridor - was eliminated because of erosion and wasn't feasible. 2. West of I-205, \$1.4 million, (recommended). 3. East of I-205 and under, and to south, considerable depth and length of boring, \$2.3 million - eliminated. 4. West of I-205, south of property. \$250,000 more than #2 (possible).

Capell said the County is working with two property owners for environmental access. He explained the odor problem in the existing system in this general area. It is being studied and chemical addition at the Battle Ground pump station is suggested. They are proceeding to remedy the problem.

Pridemore asked if any of the other plans were better for smell - #3?

Capell said #3 is the same - if further away it's better, but it still smells. He said the smell has been there a long time and getting worse. He said the lines would be parallel.

Morris asked about the frequency of the manhole covers.

Capell responded that they are 400-600 feet apart.

Tim Kraft, MacKay & Sposito, said the manhole covers will be vented, and there won't be as many as in the existing line.

Capell said there was limited involvement except for two properties where preliminary work is needed, and as the project proceeds there will be more outreach.

Stanton said the staff report reported there was extensive public outreach.

Capell said that was incorrect. They have been working twelve months with the easement and adjoining property owners were not notified. The County needs the environmental information first and then will look at alternatives.

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Pridemore said it was not standard procedure to not involve neighbors. He said to involve the people to build trust in the pursuit to make it better.

Debra Caffrey, 12215 NE Salmon Creek Avenue, said the line will be 19 feet from her mother's home. The existing line smells bad, and she is worried about having lines in the front and the back of their home. Caffrey said the line was going under the creek and may leak into Salmon Creek. She felt it would decrease the value of her home. Caffrey said she may work with county if it was proposal #4, on the backside of the property. She showed her property on the map. She said her property had a natural look.

Pridemore asked if she thought the smell would get worse – the second line wouldn't solve that problem.

Mac Kuokka, 3508 NE 119 AV, Vancouver, WA, said he lost property due to I-205; had drainage altered; 119/117 took firs out; and there are wetlands R-5. The line is on the only developable land left on his property. He suggested sealing manholes. He stated his father, who owns the land, suggested in the future to put sewers in the streets.

Tim Kraft, in response to the manhole issue, said the fix needed to be taken care of at the source not pushed on to others down the line.

Morris asked when the start date was and when the chemicals would be added.

Capell was hopeful for next year. He said the chemical addition is tied to temperature – probably next summer, and it is a construction project.

Amy Caffrey thought Battle Ground did not treat its sewage.

Pridemore said it was treated later at the Salmon Creek Treatment Plant before releasing.

Caffrey said this started in February and there hasn't been a solution yet. She has called the Health Department and air pollution control. The Health Department didn't know it to be a health problem.

Capell agreed. He said there was a consultant contract, evaluation, analysis and cost out options so the county can proceed to correct and at the least cost. Capell said to his knowledge the odor was not a health problem.

Morris said she was not comfortable going forward. She said what was needed was: a proposal; assurance to the people in the area; and to correct the odor problem so it won't become worse.

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Stanton said a proposal was most appropriate so property owners could hear why it's needed and have some say in the project.

Pridemore agreed. He said there were only 3 pages in the staff report and no public outreach for such an extensive project. Public Involvement is important to the Board of Commissioners.

Capell said time is of the essence. #2 and #4 are the only feasible alternatives. #2 affects residences and close to Caffrey's mother's home. #4 splits property. He will look into the project and the odor, meet with neighbors, and may come back in a timely manner.

NO ACTION TAKEN by the Board of Commissioners. (No tape available - Technical Difficulties)

Meeting Adjourned

BID OPENING 2346

In attendance: Mike Westerman and Allyson Anderson from General Services and Louise Richards, Clerk of the Board.

Held a bid opening for BID 2346 - Stormwater Facility Chain Link Fence. Mike Westerman, General Services, opened and read bids and reported award would be 10:00 a.m., October 21, 2003 in the Commissioner's Hearing Room, 1300 Franklin Street. (See Tape 41)

BOARD OF COUNTY COMMISSIONERS

Craig A. Pridemore/s/
Craig A. Pridemore, Chair

Betty Sue Morris/s/
Betty Sue Morris, Commissioner

Judie Stanton, Commissioner

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ATTEST:

Louise Richards/s/
Clerk of the Board

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